



Docket No.: ROWL-9955

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

AMENDMENT

4/4  
1/23/02  
PJ

Applicant:	McClain	Docket No.:	ROWL-9955
Serial No.:	09/578,001	Group Art Unit:	1755
Filed:	05/24/00	Examiner:	Wood, E.
TITLE:	METHOD AND APPARATUS FOR PRODUCING AN AQUEOUS PAINT COMPOSITION FROM A PLURALITY OF PREMIXED COMPOSITIONS		

Box NO FEE  
The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED  
JAN 22 2002  
10 1/00

Sir:

In the Restriction Requirement mailed September 21, 2001, the Examiner stated that the application contains claims directed to three distinct species of inventions. The Examiner stated that the first species, claims 1-31, 42-54 are drawn to a method for producing paint composition. The Examiner noted that claims 49 and 50 refer to "apparatus" but they have been grouped with the method claims because they depend from method claims. The Examiner stated that the second species, claims 32-41, are drawn to an apparatus. And, the Examiner stated that the third species, claims 55-60, are drawn to a

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C., 20231, ON: October 18, 2001

SIGNED:

*Tammy White*  
Tammy White



control program. The Examiner required the applicant to elect a single disclosed species for prosecution on the merits.

Applicants hereby elect for prosecution on the merits the first species, claims 1-31, 42-54.

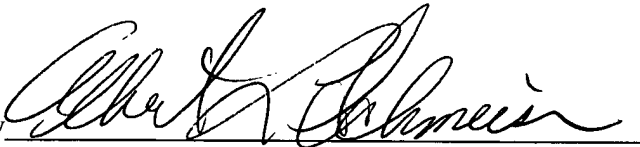
Applicants request that claims 32-41 and 55-60 be canceled in light of a divisional application.

If any fees, including extension of time fees, are due as a result of this response, please charge Deposit Account No. 19-0513. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

Date: October 18, 2001

By



Albert L. Schmeiser  
Reg. No. 30,681

**SCHMEISER, OLSEN & WATTS LLP**  
18 East University Drive, #101  
Mesa, AZ 85201  
(480) 655-0073





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No.: ROWL-9955

1755

## Response Transmittal

In re application of: Method and Apparatus for Producing an Aqueous Paint Composition from a Plurality of Premixed Compositions

Serial No.: 09/578,001

Filed: 05/24/00

For: **METHOD AND APPARATUS FOR PRODUCING AN  
AQUEOUS PAINT COMPOSITION FROM A  
PLURALITY OF PREMIXED COMPOSITIONS**

Box No Fee  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in the above-identified Application is a:

## 1. Response.

☒ No additional fee is required.☐ The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR
TOTAL 44	MINUS	60
INDEPENDENT 4	MINUS	6
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME		

(Col. 3)

Small Entity

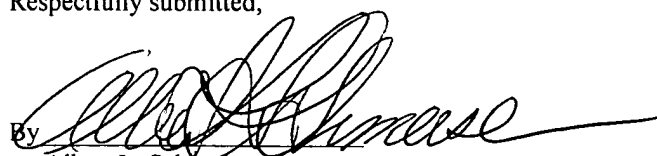
RATE	ADDITIONAL FEE
x \$ 9.00=	\$ .00
x \$42.00=	\$ .00
\$ 55.00	\$ .00
Total	\$ .00

☐ A check in the amount of \_\_\_\_\_ to cover fee is enclosed.☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0513. A duplicate copy of this sheet is enclosed.☒ Any additional filing fees required under 37 C.F.R. §1.16.☒ Any patent application processing fees under 37 C.F.R. §1.17.

Date: October 18, 2001

Respectfully submitted,

Schmeiser, Olsen & Watts LLP  
18 East University Drive, #101  
Mesa, Arizona 85201  
Tel: (480) 655-0073

By   
Albert L. Schmeiser  
Registration No.: 30,681